

BRUSHWELLMAN
ENGINEERED MATERIALS

Brush Wellman Inc.
67 West 2950 South
Salt Lake City, Utah 84115
Phone 801/467-5441

April 29, 1987

RECEIVED
MAY 01 1987

DIVISION OF
OIL, GAS & MINING

Ms. Susan C. Linner
Reclamation Biologist/
Permit Supervisor
Utah Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Dear Ms. Linner:

Thank you for your letter to us dated March 30, 1987, responding to our revised or updated Reclamation Plan submitted on January 12, 1987. Brush is anxious to finalize its Plan and perhaps the thoughts expressed herein will aid in that objective.

In looking over our files, we find that in compliance with the Utah Mined Land Reclamation Act of 1975, Brush filed a complete Notice of Intent to continue mining operations, including a Reclamation Plan with the Division of Oil, Gas and Mining in March of 1977.

The Division, by letter dated March 22, 1977, gave us notification of tentative approval of the Brush Mining and Reclamation Plan (see attachment I). In April 1981, following an expansion of the Brush mining operations and the submittal of additional information, the Division, by letter dated April 7, 1981, again notified Brush of the Division's approval of the Mining and Reclamation Plan (see attachment II). The said notification stated that the revised Plan does not constitute a sufficient change in the original filing and that republication is not necessary. The Division further stated that for final approval, the issue of surety should be resolved and a mutually acceptable amount and form of surety agreed upon. In the Division's April 7, 1981 letter, the Division requested certain additional information to help estimate the amount of the surety. This data was submitted by Brush by its letter dated June 2, 1981. No further communication was received by Brush until March 18, 1985.

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The original reclamation plan approved by the Division generally consisted of covering the dumps with volcanic tuff removed from the mining pits and revegetated with a seed mix that was to be verified through revegetation test plots. A revegetation test plot program was designed by the Division in 1977 and initiated by Brush in 1978. The test plots were designed to evaluate various seed bed preparations and plants for revegetating directly into the fine-grained volcanic tuff material. The information would then lead to establishing acceptable revegetation procedures and would complete the reclamation plan. Reclamation costs could then be established for estimating the amount of surety as required by the Mined Land Reclamation Act.

By letter dated March 18, 1985, the Division requested that Brush proceed with finalizing or updating its reclamation plan as well as estimating the reclamation costs. Upon receipt of the March 18, 1985 letter, Brush initiated efforts to update its reclamation plan, reviewed data relating to the plan, and gave additional attention to the test plots. The test plots, although continuously maintained by Brush, were systematically evaluated in 1985 and were found to have generally failed to provide a suitable means of revegetating the tuff material. It then became apparent the previously approved reclamation plan should be altered to successfully implement revegetation efforts. Therefore, Brush prepared revised plans and submitted them to the Division for their review and approval on January 12, 1987.

Since 1981, Brush has continued to study conditions relating to its project in an ongoing effort to update the plan. This has been done at a very heavy investment of time and money, including the use of in-house staff and independent consultants.

We believe that our January 12, 1987 response to the Division's March 18, 1985 request for technical information was comprehensive, professional and well-done.

However, we will be happy to respond to the specific information sought by your March 30, 1987 letter, for clarifying and updating the prior plan.

In the interest of bringing the matter to a satisfactory and early conclusion, we suggest scheduling a meeting with you and your staff representatives to review your current comments so that there is mutual understanding. Following that, we are prepared to get back to you, without undue delay, with definitive


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responses to the remaining questions. Please call and suggest
a time for such a meeting.

Sincerely yours,

BRUSH WELLMAN INC.

By



Kenneth R. Poulson
Vice President
Mining & Exploration

KRP:do
Encls.

cc: Mr. Lowell P. Braxton, Administrator
Mined Land Reclamation Program

Scott M. Matheson
~~RAVON K. CAMPION~~
Governor



OIL, GAS, AND MINING BOARD

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Executive Director,
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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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CLEON B. FEIGHT
Director

March 22, 1977

Brush Wellman Inc.
Kenneth R. Poulson, Mining Division Manager
67 West 2950 South
SLC, Utah 84115

Re: ACT/023/003
Tentative Approval

Dear Mr. Poulson:

We have reviewed your Mining and Reclamation Plan for the Topaz Mining Property and it is our opinion that this operation, as presently described in the plan, is in concert with the Utah Mined Land Reclamation Act. Therefore, we hereby issue tentative approval of this Mining and Reclamation Plan on this date.

We will now publish an abbreviated version of the plan and during the mandatory 30 day waiting period for public comment we will calculate a surety estimate based on the information presented by you in your plan. You will be asked to comment on our surety estimate before we present it to our Board.

We extend our sincere appreciation to you and your co-workers for your full cooperation in this matter and we look forward to working with you in the future.

Very truly yours,

DIVISION OF OIL, GAS, AND MINING

A handwritten signature in cursive script that reads "Brian W. Buck".

BRIAN W. BUCK
ENGINEERING GEOLOGIST

/tlb

ATTACHMENT I

SCOTT M. MATHESON
Governor



OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

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Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE MCINTYRE

April 7, 1981

Mr. Kenneth R. Poulson
Vice President
Mining and Exploration
Brush Wellman, Inc.
67 West 2950 South
Salt Lake City, Utah 84115

RE: Topaz Mining Property
ACT/023/003
Juab County, Utah

Dear Mr. Poulson:

The Division of Oil, Gas and Mining has reviewed Brush Wellman's revised mining and reclamation plan for its Topaz Mining Property in Juab County and finds that the plan remains in concert with the Utah Mined Land Reclamation Act. As you know, tentative approval for this operation was issued on March 22, 1977 and the notices of publication were made on April 6 and April 14, 1977 as required to solicit public comment. An environmental assessment was presented to the State Environmental Coordinating Committee for comment and subsequently was signed off on May 16, 1977. It is the Division's opinion that the revised plan does not constitute a significant change in the original filing and that republication is not necessary.

In order that final approval may be granted, a surety must be posted by Brush Wellman to cover the estimated cost of reclamation. As we discussed during our meeting of February 3, 1981, it would be very helpful in estimating the amount of surety for the Division to have additional information regarding the mining sequence and areas to be utilized during five year increments. A color coded surface facilities map should satisfactorily fulfill this request, along with a breakdown of the acreages involved.

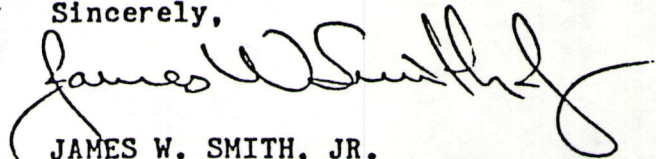
ATTACHMENT II

Mr. Kenneth R. Poulson
April 7, 1981
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As soon as we can reach a mutually acceptable amount and form of surety, the Division will present the arrangement to the Board for its approval. Upon receipt of the surety, the Division can issue final approval to Brush Wellman for its Topaz Mining Property.

If you have any question, please call.

Sincerely,



JAMES W. SMITH, JR.
COORDINATOR OF MINED LAND DEVELOPMENT

JWS/te

cc: Bill Wray,
VanCott, Cornwall, Bagley & McCarthy

Don Pendleton,
B.L.M., Richfield

John Blake, State Lands